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Dear Chairman Kennard:

I am a supporter of the creation of a Low Power FM (LPFM) radio service as outlined in the FCC's Notice of Proposed Rulemaking in docket MM 99-25, which called for creation of commercial and non-commercial LPFM stations nationwide.

It has come to my attention that the FCC intends to vote at its Jan 20th meeting to severely gut this proposal (NPRM) providing for only non-commercial stations. While I am very pleased with the decision to limit power to 100 watts maximum (the originally proposed 1000 watt class would have been overkill and could hardly be considered "low power") and additionally by the proposal to resolve competing applications via programming (a most fair-minded idea) rather than by bid or lottery, I am deeply dismayed by the decisions to make LPFM noncommercial only, to essentially limit its use to educational institutions alone (thus eliminating 99 percent of potential LPFM applicants) and by the retention of the 2nd adjacent channel protections which will severely limit the number of new stations which could be licensed.

In fact, the LPFM service as proposed would not be a new "service" at all; educational institutions can currently obtain a 100 watt noncommercial license. The FCC is charged with, among other things, ensuring that there will be no "duplication of service" which is a waste of valuable spectrum; yet the LPFM service under the current proposal would duplicate almost exactly an already-existing service. In essence it is not a ruling at all since nothing is changed!

To place such severe limits on LPFM would doom the service before it begins, making it impossible to obtain enough financial support, without being able to sell commercial airtime, to exist.

What possible reason can the FCC give for not permitting commercially supported LPFM stations, other than to protect NAB member stations from competition? Commercial support has nothing to do with interference! There is no good reason to doom the LPFM service by taking away its ability to support itself by the sale of commercial advertising, a method of support that has served this nation's stations well for over 75 years.

In fact to not allow commercial support would do a great disservice to small businesses in America that cannot afford to advertise on full-power radio stations. Their needs would have been met by LPFM stations. A decision to not allow commercial support would have a vast negative impact on small business in America. Also gone would be the minority dreams of opportunity to break into the broadcast marketplace and to serve their communities with culturally diverse, local programming.

I wish to remind you that there was an overwhelming number (thousands) of comments filed in this proceeding supporting the creation of these stations, allowing for both commercial and non-commercial operation as set forth in the FCC's NPRM.

The public has spoken on this matter and to ignore this public mandate and cave in to political pressure from the National Association of Broadcasters (NAB) is a disgrace and use of such anti-competitive actions by the NAB should be investigated by the Justice Department.

The NAB tried to cause confusion on this issue by claiming that the new LPFM stations

would cause interference to existing stations. A receiver study conducted by the FCC proved this to be incorrect. Having studied this report, it is obvious that the 2nd adjacent channel protections should be eliminated as originally proposed in MM 99-25, thus allowing the most possible spectrum space for LPFM, without causing interference. With the proposed retention of 2nd adjacent protections so few LPFM licenses would be able to be granted that the "service" would be useless; most communities would still be unserved with local programming. The NAB raised this "interference" smokescreen issue to attempt to conceal its real dislike for LPFM, the fact that it does not want competition for listeners or advertising revenues for its member stations. The FCC cannot prevent competition and is supposed to promote competition.

I would hope that the FCC would vote for LPFM in its full form as proposed in the NPRM or delay the vote to clear the way for a workable LPFM service of 100 watt and under commercial and non-commercial stations.

To recap, LPFM, to be a viable, workable service should:

- a.. Be permitted to be a commercial as well as noncommercial service;
- b.. Be limited to a maximum of 100 w (as already proposed) and provision for stations of 1 to 10 w power to serve small communities should be made;
- c.. Be granted primary status, equal to that of a "full-service" FM station and superior to that of translators;
- d.. Be granted a relaxation of 2nd adjacent as well as 3rd adjacent (as currently proposed) channel protection restrictions;
- e.. Be allowed to resolve competing applications by local programming content (as currently proposed) rather than by bid or lottery.

It is my sincere hope, as well as that of many others who appreciate and respect what you have attempted to do for the American public, that a viable resolution to these issues can be reached in a manner which is fair, just and of greatest benefit to America.

Respectfully,

Jonathan B. Smick ARS W2MXW

2010 Lake Avenue, Scotch Plains NJ 07076

(908) 233-0643; email: jsmick@worldnet.att.net